

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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ROUMANN CONSULTING INC. and  
RONALD ROUSSE,

Plaintiffs,

Case No. 18-CV-1551

v.

SYMBIONT CONSTRUCTION, INC.,  
SYMBIONT HOLDING COMPANY, INC.,  
SYMBIONT SCIENCE, ENGINEERING AND CONSTRUCTION, INC.,  
THOMAS C. BACHMAN,  
SONYA K. SIMON, ESQ.,  
EDWARD T. MANNING, JR. and  
TIMOTHY P. NELSON,

Defendants.

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**PLAINTIFFS' RULE 26(a)(3) PRE-TRIAL DISCLOSURES**

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Plaintiffs Roumann Consulting Inc. ("Roumann Consulting") and Ronald Rousse, by their attorneys, Halloin Law Group, S.C., submit the following Federal Rule of Civil Procedure 26(a)(3) Disclosures.

**I. Rule 26(a)(3) Trial Witness List:**

**A. Mr. Ronald Rousse (Will Call)**

*To be contacted through Plaintiffs' counsel*

Mr. Rousse, has information relating to all claims and defenses in this lawsuit, including Roumann Consulting's and Mr. Rousse's Confidential Information as that term is defined in the March 26, 2015 Independent Contractor Agreement.

**B. Mr. Dean Handrow (Will Call)**

*Represented by opposing counsel*

Mr. Handrow is a former employee of T.V. John & Son, Inc. and Symbiont Construction, Inc. He worked with Mr. Rousse. Mr. Handrow is expected to testify about the use of Mr. Rousse's and Roumann Consulting's Confidential Information, both before and after Mr. Rousse and Roumann Consulting's termination as well as the topics covered during his April 4, 2021 deposition.

**C. Mr. Chad Johnson (Will Call)**

*Represented by opposing counsel*

Mr. Johnson is a former employee of T.V. John & Son, Inc. and Symbiont Construction, Inc. He worked with Mr. Rousse. Mr. Johnson is expected to testify about the use of Mr. Rousse's and Roumann Consulting's Confidential Information, both before and after Mr. Rousse and Roumann Consulting's termination as well as the topics covered during his April 16, 2021 deposition.

D. Mr. Timothy Nelson (Will Call)

*Represented by opposing counsel*

Mr. Nelson is a former employee of T.V. John & Son, Inc. and Symbiont Construction, Inc. He worked with Mr. Rousse. Mr. Nelson is expected to testify about the use of Mr. Rousse's and Roumann Consulting's Confidential Information, both before and after Mr. Rousse and Roumann Consulting's termination as well as the topics covered during his April 7, 2021 deposition.

E. Mr. Keith Winningham (May Call)

*To be contacted through Plaintiffs' counsel*

Mr. Winningham is a former employee of T.V. John & Son, Inc. and Symbiont Construction, Inc. and worked with Mr. Rousse. He currently works with Mr. Rousse as an independent contractor. Mr. Winningham shall testify about the Confidential Information at issue in this lawsuit, both while at T.V. John & Son, Inc. and Symbiont Construction, Inc., and violations of the Independent Contractor Agreement since working as an independent contractor for Mr. Rousse.

F. Mr. Brian Binkowski (May Call)

*To be contacted through Plaintiffs' counsel*

Mr. Binkowski is a former employee of T.V. John & Son, Inc. and Symbiont Construction, Inc. and worked with Mr. Rousse. He currently works with Mr. Rousse as an independent contractor. Mr. Binkowski shall testify about the Confidential Information at issue in this lawsuit, both while at T.V. John & Son,

Inc. and Symbiont Construction, Inc., and violations of the Independent Contractor Agreement since working as an independent contractor for Mr. Rousse.

G. Mr. Alverto Perales (May Call)

*To be contacted through Plaintiffs' counsel*

Mr. Perales currently works with Mr. Rousse as an independent contractor. He shall testify about the Confidential Information at issue in this lawsuit, and its misuse by T.V. John & Son, Inc. and Symbiont Construction, Inc.

H. Present Representatives of Symbiont Construction, Inc.

*Represented by opposing counsel*

Symbiont Construction, Inc. will testify by its Rule 30(b)(6) deposition Plaintiffs may call witnesses from Symbiont Construction, Inc. include: Edward Manning (Will Call), Jr., Sonya Simon (May Call), Helen Miller (May Call), Joanna Emmer (May Call), Patti Tennyck (May Call), John Zwicki (May Call), Kim Wessel (May Call) and Barb Buss (May Call).

I. Stephen VanderBloemen, Expert. (Will Call)

*To be contacted through Plaintiffs' counsel*

Mr. VanderBloemen will testify regarding damages, his October 15, 2021 expert report; Symbiont Construction, Inc.'s response, and his January 14, 2022 expert report

Plaintiffs reserve the right to call any other witness, including but not limited to project owners, subcontractors, suppliers, vendors, and other companies, identified by another party or identified during the course of discovery.

**II. Rule 26 (a)(3) Exhibits Anticipated to Be Used At Trial.**

Plaintiff's exhibits have already been identified as Exhibits 301 through 322, as well as the documents attached to Plaintiffs' Complaint, and Mr. VanderBloemen's expert reports dated October 15, 2021 and January 14, 2022. A trial exhibit list will be disclosed at an appropriate time, in coordination with opposing counsel.

Plaintiffs reserve the right to use at trial any document produced during discovery and marked as an exhibit during a deposition.

**III. Rule 26(a)(3) Computation of Damages/Itemization.**

Roumann Consulting incorporates by reference the October 15, 2021 and January 14, 2022 expert reports of Stephen VanderBloemen as its itemization of damages.

Plaintiffs reserve the right to amend these reports should the passage of time require.

Dated February 1, 2022.

HALLOIN LAW GROUP, S.C.  
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S:\Clients\Roumann Consulting and Ron Rousse\Pleadings 18-CV-1551\Rule 26(a)(1) Initial Disclosures.docx

